event of suppliers' failure to adhere to the time-schedule and quality equipment as per the terms of the contract with the West German firms for the purchase of Spreaders for the second mine expansion project of the Neyveli Lignite Corporation?

THE MINISTER OF ENERGY (SHRI VASANT SATHE): The Letter of Intent issued to the supplier of spreaders for the Second Mine Expansion project of NLC provides for the levy of liquidated damages in the event of failure to adhere to the agreed time schedule. As regards quality, the structural designs would be examined by NLC's consultants with the help of an independent expert and modifications, if any, would be carried out free of cost by the supplier.

**Bringing Public Sector Undertakings under MRTP Act**

370. SHRI ASHOK NATH VERMA:
DR. BAPU KALDATE:

Will the Minister of INDUSTRY be pleased to state:

(a) whether there is any proposal to bring the public sector undertakings under the purview of the Monopolies and Restrictive Trade Practices Act (MRTP); and

(b) if so, what are the details thereof?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): (a) and (b) No final decision has been taken in this regard so far.

**Filling up the Vacant Posts of Judges in Supreme Court and High Courts**

371. SHRI V. NARAYANASAMY:
SHRI SATYA PRAKASH MALAVIYA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of posts of Judges lying vacant at present in the Supreme Court of India and the various State High Courts;

(b) the reasons for not filling-up a large number of these posts leading to the accumulation of a large number of cases in the Sureme Court and the High Courts;

(c) by when the posts are likely to be filled up; and

(d) whether Goverment propose to appoint some more women Judges?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) In the Supreme Court, as on 1-4-87, there were 12 posts of Judges to be filled up (inclusive of the 8 new posts); appointment of two Judges has since approved. As on 1-4-87, there were 49 vacancies of Judges in the High Courts; High Court-wise details are given in the attached statement. (*See* below).

(b) and (c) The process of consultation with the constitutional functionaries required to be consulted in the matter of appointment of Judges does take some time. The Government have recently reiterated the instructions prescribing the time schedule wherein the Chief Justices of High Courts and Chief Ministers and Governors of States have to send their recommendations for filling in posts of Judges in High

Courts, and have requested them to adhere to it so that the vacancies are filled in expeditiously. It is, however, not possible to indicate the time when all the posts are likely to be filled up.

(d) As present, 11 women Judges are in position in various High Courts of the country. The Government have addressed the Chief Ministers of States and Chief Justices of High Courts saying that it should be possible for them to locate women lawyers who are suitable for appointment as High Court Judges, and they have been requested to keep this in view while making recommendations for appointments to the High Courts so as to increase their representation on the Bench.

**Statement**

| S.No. | High Court | No. of Vacancies As on 1-4-87 |
|---|---|---|
| 1. | Allahabad | 11 |
| 2. | Andhra Pradesh | 3 |
| 3. | Bombay | 4 |
| 4. | Calcutta | .. |
| 5. | Delhi | 2 |
| 6. | Gauhati | 2 |
| 7. | Gujarat | 4 |
| 8. | Himachal Pradesh | 2 |
| 9. | Jammu & Kashmir | - |
| 10. | Karnataka | 1 |
| 11. | Kerala | .. |
| 12. | Madhya Pradesh | 1 |
| 13. | Madras | 5 |
| 14. | Orissa | 3 |
| 15. | Patna | 3 |
| 16. | Punjab & Haryana | 6 |
| 17. | Rajasthan | 1 |
| 18. | Sikkim | 1 |
| | TOTAL | 49 |

**Amendment in MRTP Act**

372. SHRI ASHOK NATH VERMA:

DR. BABU KALDATE:

SHRI M. S. GURUPADASWAMY:

DR. (SHRIMATI) SAROJINI MAHISHI:

Will the Minister of INDUSTRY be pleased to state :

(a) whether there is any proposal to amend the Monopolies and Restrictive Trade Practices Act (MRTP) which have resulted in the impediments of growth of larger industrial houses;

(b) whether it is a fact that a study has been conducted which revealed that larger industrial houses bagged as many as 124 of the industrial licences out of 618 issued last year; and

(c) if so, what steps are being taken to stop imports of many industrial and consumer goods and prevent larger houses from investing in units that could make them?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): (a) The MRTP Act, 1969, does not prohibit the growth of large industrial houses provided such growth is considered to be in public interest.

(b) No specific study as such has been conducted but it is a fact that out of 618 industrial licences issued in 1986, 124 had been issued to the companies belonging to the large industrial houses.

(c) Imports are regulated under the Import and Export Policy (1985-88). The large industrial houses are,